

RECEIVED 28 APR 2006

Practitioner's Docket No. 1386/21  
Serial No. 10/550,533

CHAPTER II

IN THE UNITED STATES ELECTED OFFICE (EO/US)

PCT/AU04/00383	26 March 2004 (26.03.04)	28 March 2003 (28.03.03)
International Application No.	International Filing Date	Priority Date Claimed

METHOD FOR IDENTIFYING NUCLEIC ACID MOLECULES ASSOCIATED WITH  
ANGIOGENESIS

Title of Invention

Gonda et al.

Applicant(s)

Mail Stop PCT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450  
ATTENTION: EO/US

COMPLETION OF FILING REQUIREMENTS  
FOR INTERNATIONAL APPLICATION ENTERING U.S. NATIONAL STAGE  
IN U.S. ELECTED OFFICE (EO/US) UNDER 35 U.S.C. § 371

This replies to the Notice of Missing Requirements under 35 U.S.C. § 371 and 37 C.F.R. § 1.495 (FORM PCT/DO/EO/905).

A copy of FORM PCT/DO/EO/905 accompanies this response.

EXPRESS MAILING UNDER 37 C.F.R. § 1.10\*

(Express Mail label number is *mandatory*.)

(Express Mail certification is *optional*.)

I hereby certify that this paper, along with any document referred to, is being deposited with the United States Postal Service on this date April 28, 2006 in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 as "Express Mail Post Office to Addressee" Mailing Label No. EV921304554US.

Stacie H. Boswell

Date: April 28, 2006

*Stacie H. Boswell*

Signature of person certifying

**WARNING:** Certificate of mailing (first class) or facsimile transmission procedures of 37 C.F.R. 1.8 cannot be used to obtain a date of mailing or transmission for this correspondence.

**\*WARNING:** Each paper or fee filed by "Express Mail" *must* have the number of the "Express Mail" mailing label placed thereon prior to mailing, 37 C.F.R. 1.10(b).

"Since the filing of correspondence under § 1.10 without the Express Mail mailing label thereon is an oversight that can be avoided by the exercise of reasonable care, requests for waiver of this requirement will *not* be granted on petition." Notice of Oct. 24, 1996, 60 Fed. Reg. 56,439, at 56,442.

### DECLARATION OR OATH

- I. The declaration or oath that was filed was determined to be defective. A new original oath or declaration is attached.

### FEES

- II. Surcharge fees

Surcharge for filing the oath or declaration  
later than thirty months from the priority  
date pursuant to § 1.495(c):

\$65.00

**Total Fees**

**\$65.00**

### EXTENSION OF TIME

- III. The proceedings herein are for a patent application. Accordingly, the provisions of 37 C.F.R. § 1.136(a) apply.

Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

### TOTAL FEE DUE

- IV. The total fee due is:

Completion fee(s)

\$65.00

**TOTAL FEE DUE \$65.00**

### PAYMENT OF FEES

- V. A check in the amount of \$65.00 is enclosed herewith and the Commissioner is hereby authorized to charge any additional fees required by this paper or credit any overpayment to Deposit Account Number 50-0426.

A duplicate of this request is attached.

Date:

28 April 2006

Reg. No.: 39,395

Tel. No.: 001-919-493-8000

Customer No.: 25297



Signature of Practitioner

Arles A. Taylor, Jr.

Jenkins, Wilson, Taylor & Hunt, P.A.

Suite 1200 University Tower

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Durham, NC 27707

UNITED STATES OF AMERICA

05/04/2006 0FREY1 00000108 10350333

01 FEB2617

65.00 03

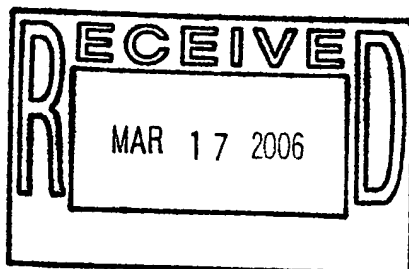


## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/550,533	Thomas John Gonda	1386/21

Arles A Taylor Jr  
Jenkins Wilson & Taylor  
Suite 1400 University Tower  
3100 Tower Boulevard  
Durham, NC 27707



INTERNATIONAL APPLICATION NO.	
PCT/AU04/00383	
I.A. FILING DATE	PRIORITY DATE
03/26/2004	03/28/2003

CONFIRMATION NO. 8358  
371 FORMALITIES LETTER



\*OC000000018222064\*

Date Mailed: 03/10/2006

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 09/22/2005
- Copy of the International Search Report filed on 09/22/2005
- Preliminary Amendments filed on 09/22/2005
- Biochemical Sequence Diskette filed on 09/22/2005
- Oath or Declaration filed on 09/22/2005
- Biochemical Sequence Listing filed on 09/22/2005
- U.S. Basic National Fees filed on 09/22/2005
- Priority Documents filed on 09/22/2005
- Specification filed on 09/22/2005
- Claims filed on 09/22/2005
- Drawings filed on 09/22/2005
- Paper nucleotide sequence listings filed on 09/22/2005

Initial DDL - 5/10/06  
Absolute DDL - 10/10/06 (7th mo.)  
PAT  
1386/21  
CMB  
3/20/04

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
  - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath

or declaration) as set forth in 37 CFR 1.492(h) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

#### SUMMARY OF FEES DUE:

Total additional fees required for this application is \$65 for a Small Entity:

- \$65 Surcharge.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

JOHN L ANDERSON

Telephone: (703) 308-9140 EXT 211

#### PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/550,533	PCT/AU04/00383	1386/21